

Treaty. In support of this position, Applicants cited the copies of the deposit receipts for *Streptococcus thermophilus* YS 52, *Streptococcus thermophilus* YS 46, *Streptococcus thermophilus* YS 48, *Lactobacillus bulgaricus* LB 1, *Lactobacillus bulgaricus* LB 3, *Lactobacillus bulgaricus* LB 7, and *Lactobacillus bulgaricus* LB 77 which were filed as Exhibits A-I.

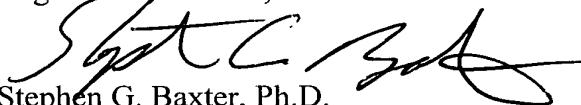
In addition, Applicants are filing herewith the attached Authorization signed by Giovanni Giani the legal representative of Sitia Yomo S.p.A., the depositor of the claimed strains, which grants "unreserved and irrevocable consent to the deposited material being made available to the public upon the granting of the patent." Accordingly, Applicants again submit that the rejection should be withdrawn.

Applicants submit that the application is now in condition for allowance, and early notification of such action is earnestly solicited.

Respectfully submitted,

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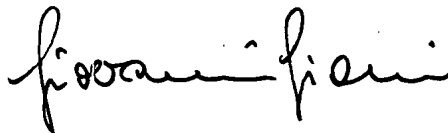
  
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***AUTHORIZATION***

I, Mr. Giovanni Giani, General Manager of Sitia Yomo S.p.A on behalf of this Company do hereby authorise Mrs. Renata Cavaliere Vesely and Mr. Claudio De Simone (applicants of US Application n. 08/813.776) to refer to the biological material deposited by our Company (see enclosed receipts) in the application and give unreserved and irrevocable consent to the deposited material being made available to the public upon the granting of the patent.

Signature:



Name: Giovanni Giani

Date: 18 - 02 - 1999